In its endeavour to ensure education for all by 2000 AD, the United Front Government has resolved to make free and compulsory education a fundamental right. Government has initiated widespread consultation at the political level and with educational experts with a view to carefully examining the financial, administrative and legal implications. The proposal was discussed in the conference of State Education Ministers and State Education Secretaries, held on 9-10 August, 1996 in which Chairperson and other Members of the National Human Rights Commission participated. The Conference recommended constitution of a Committee under the Chairmanship of an Union Minister of State for Human Resource Development (Education) to examine the various legal, financial, administrative and academic implications of the proposal to make free and compulsory elementary education a fundamental right. The Committee has since been constituted.

As regards the recommendation regarding early action on the amendment to Child Labour (Prohibition and Regulation) Act, the Government is examining a number of suggestions with a view to amending the Act to lend it more teeth. Government of India has also been impressing upon the state Governments from time to time to strictly enforce the child labour related laws.

As for the child labour project, Ferozabad, children are taken out of hazardous work and put into special schools where they are provided with non-formal education, vocational training, stipends, health checks and nutrition etc. So far 40 special schools have been sanctioned in favour of this project. All these special schools have become operational. By the end of March, 1996, a total of 2926 children have been withdrawn from work and put in the special schools. The parents of such children are also being covered under poverty alleviation and employment generation schemes in order to improve their economic conditions.

The NHRC has dealt with the question of child labour in its Annual Report for the year 1995-96 also, submitted to the Government recently. The report will be laid on the Table of both Houses of Parliament alongwith a Memorandum of Action Taken on the recommendations of the Commission.

(e) to (g) As mentioned in answer to part (b) above, the plan of action prepared by the NAECL has been sent to all States and Union Territories for adoption. Further, as mentioned in answer to parts (c) and (d) above, the Government of India has also been impressing upon the State Governments from time to time to strictly enforce the child labour related laws.

**Detenu In Jails**

*455 SHRI SONTOSH MOHAN DEV :
DR. T. SUBBARAMI REDDY :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Supreme Court has ordered the respective courts to release all the detenu in the jails whose trials were pending for one year or more for the offences attracting imprisonment upto seven years;

(b) the number of such undertrials at present, State-wise, and

(c) the steps taken in compliance with the Supreme Court's order for their early release and trials?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA) : (a) In its judgement dated 1.5.1996 in the Writ Petition (C) No. 1128 to 1986, "Common Cause" Vs. Union of India and others, the Supreme Court of India has, interalia, made the following directions :

(i) Where the offences under I.P.C. or any other law for the time being in force for which the accused are charged before any criminal court are punishable with imprisonment not exceeding three years, with or without fine, and if trials for such offences are pending for one year or more and the concerned accused have not been released on bail but are in jail for a period of six months or more, the concerned criminal court shall release the accused on bail or on personal bond to be executed by the accused and subject to such conditions, if any, as may be found necessary, in the light of Section 437 of the Criminal Procedure Code (Cr.P.C.).

(ii) Where the offences under I.P.C. or any other law for the time being in force for which the accused are charged before any criminal court are punishable with imprisonment not exceeding five years, with or without fine, and if the trials for such offences are pending for two years more and the concerned accused have not been released on bail but are in jail for a period of six months or more, the concerned criminal court shall release the accused on bail or on personal bond to be executed by the accused and subject to the imposing of suitable conditions, if any, in the light of Section 437 Cr.P.C.

(iii) Where the offences under I.P.C. or any other law for the time being in force for which the accused are charged before any criminal court are punishable with seven years or less, with or without fine, and if the trials for such offences are pending for two years or more and the concerned accused have not been released on bail but are in jail for a period of one year or more, the concerned criminal court shall release the accused on bail or on personal bond to be executed by the accused and subject to the imposing of suitable conditions, if any, in the light of Section 437 Cr.P.C.

(b) Such information is not maintained by the Central Government.

(c) The follow up action on the directions of the Supreme Court is to be taken by the concerned Courts/authorities in the States.